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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 ANNA LOVELESS,

11 Plaintiffs,

12 Vs.

CASE NO.: 2:21-cv-00536-APG-VCF

13 WALMART, INC,

14 Defendant.

15 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**

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17 **(Second Request)**

18 COMES NOW, plaintiff ANNA LOVELESS, by and through her counsel, LESLIE  
19 MARK STOVALL, ESQ. of the law office of STOVALL AND ASSOCIATES, and  
20 WALMART, INC. by and through its counsel of record, MATTHEW B. BECKSTEAD, ESQ.  
21 of the law office of PHILLIPS, SPALLAS & ANGSTADT, LLC, hereby stipulate to extend the  
22 remaining deadlines in the current Discovery Plan and Scheduling Order in this matter for a  
23 period of 60 days. Pursuant to Local Rule IA 6-1(a), the Parties hereby aver that this is the  
24 second such discovery extension requested in this matter.  
25

26 **DISCOVERY COMPLETED TO DATE**

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  - The Parties conducted their FRCP 26(f) conference on April 8, 2021.

- 1 • Plaintiff served her FRCP 26(a) Initial Disclosures on April 23, 2021.
- 2 • Walmart Inc. served its FRCP 26(a) Initial Disclosures on April 9, 2021.
- 3 • Plaintiff served discovery to defendant on April 26, 2021
- 4 • Defendant served its discovery responses on June 11, 2021
- 5 • Defendant served discovery to plaintiff on July 22, 2021
- 6 • Plaintiff served discovery responses to defendant on August 20, 2021
- 7 • Plaintiff served her FRCP 26(a) First Supplemental Disclosures on August 20, 2021
- 8 • Plaintiff served her Errata to the served First Supplemental Disclosures on August 24,
- 9 2021
- 10 • Walmart Inc. took Plaintiff's deposition on September 3, 2021
- 11 • Walmart Inc. served its FRCP 26(a) Second Supplemental Disclosures on October 6,
- 12 2021
- 13 • Walmart Inc. served its FRCP 26(a) Third Supplemental Disclosures on October 28,
- 14 2021

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18 **DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF**

19 **DISCOVERY**

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21 Discovery to be completed includes:

- 22 • The Parties' continued supplementation of FRCP 26(a) Initial Disclosures as
- 23 discovery continues.
- 24 • Defendant to respond to plaintiff's discovery
- 25 • Additional written discovery propounded by and upon Plaintiff and Walmart.
- 26 • Depositions of fact additional witnesses.
- 27 • Depositions of Plaintiff's treating medical providers.
- 28

- 1 • Depositions of Plaintiff's employers.
- 2 • Depositions of additional Walmart's employees.
- 3 • Deposition(s) of Walmart's FRCP 30(b)(6) representative(s).
- 4 • FRCP 26(a)(2) designation of initial and rebuttal expert witnesses.
- 5 • Depositions of initial and rebuttal expert witnesses.
- 6 • FRCP 35 examination of Plaintiff, if necessary.
- 7 • Plaintiff's demand for inspection of pharmacy records.
- 8 • Receipt of additional HIPAA compliant medical authorizations from Plaintiff.
- 9 • Walmart's subpoenaing of additional records from Plaintiff's employers and medical
- 10 providers.
- 11 • Additional written discovery and depositions as the Parties deem necessary.

12 The Parties aver, pursuant to Local Rule IA 6-1, that good cause exists for the requested

13 extension. The parties request an extension of 60 deadlines in order to complete the above

14 referenced discovery. The Administrative Orders of the Court regarding the Governor's

15 Directives and response to COVID-19 delayed resulting in slowing the completion of discovery

16 within the allotted time frame. This is the second request for an extension of the discovery

17 deadlines. Both attorneys have encountered various scheduling difficulties related to party

18 availability, availability of retained experts, and the respective trial schedules of counsel.

19 Counsel for plaintiff has been preparing for the last three weeks for a trial that is commenced on

20 November 15, 2021. The parties have entered into this agreement in good faith and not for the

21 purposes of delay.

#### 22 **EXISTING DISCOVERY PLAN**

23 Interim Status Report

24 November 29, 2021

Initial Expert Disclosure Deadline	November 29, 2021
Rebuttal Expert Disclosure Deadline	December 30, 2021
Amend Pleadings and Add Parties	October 29, 2021
Discovery Cut-Off Date	January 27, 2022
Dispositive Motion Deadline	February 27, 2022
Proposed Consolidated Pre-Trial Order	March 29, 2022

**PROPOSED NEW DISCOVERY PLAN**

<del>Interim Status Report</del>	<del>January 28, 2022</del>
Initial Expert Disclosure Deadline	January 28, 2022
Rebuttal Expert Disclosure Deadline	February 28, 2022
Amend Pleadings and Add Parties	December 29, 2022
Discovery Cut-Off Date	March 27, 2022
Dispositive Motion Deadline	April 29, 2022
Proposed Consolidated Pre-Trial Order	May 30, 2022

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

DATED this 18<sup>th</sup> day of November, 2021.  
STOVALL & ASSOCIATES

*/s/ Leslie Mark Stovall*

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LESLIE MARK STOVALL, ESQ.  
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Las Vegas, Nevada 8917  
*Attorney for Plaintiff*

DATED this 18<sup>th</sup> day of November, 2021.  
PHILLIPS, SPALLAS & ANGSTADT, LLC

*/s/ Matthew B. Beckstead*

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MATTHEW B. BECKSTEAD., ESQ.  
Nevada Bar No.  
504 South Ninth Street  
Las Vegas, Nevada 89101  
*Attorney for Defendant*

**IT IS SO ORDERED;**

  
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**UNITED STATES MAGISTRATE JUDGE**

**DATED:** 11-23-2021